

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the realignment of the four parcels which compose the subject property and approve the transfer of density to be utilized for a total of 8 building lots in the R.C.2 zone, all of which is more fully depicted on the plat accompanying this Petition.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Richard A. Moore

(Type or Print Name)

Signature

3312 Paper Mill Road, Box 193

Address

Phoenix, MD 21131

City and State

Attorney for Petitioner:

Stephen J. Nolan and Nolan, Plunhoff

(Type or Print Name) & Williams, Chtd.

Signature

204 West Pennsylvania Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

The Salvation Army - A GEORGIA CORP.

(Type or Print Name)

Signature

2643 Maryland Avenue

Address

Baltimore, MD 21218

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Stephen J. Nolan, Esquire

Name

204 West Pennsylvania Ave.

Address

Towson, Maryland 21204

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 27th day of January, 1986, at 10:30 o'clock.

By: *Carl J. ...*
Zoning Commissioner of Baltimore County.

(over)

constitutes the primary source for determining the legislative intent. Grosvenor v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]dherence to the meaning of words does not require or permit isolation of words from their context...[since] the meaning of the plainest words in a statute may be controlled by the context... In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 1A01.1.B, the conclusion is inescapable that under the plain meaning of the statutes, the policy is correct.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the findings and purposes of Section 1A01, BCZR, must be construed in light of all of the provisions contained therein so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

"Zoning regulations are in derogation of common law rights and they cannot be construed to include or to exclude by implication that which is not clearly within their express terms." Yokely, Zoning Law & Practice, Sections 1-4 and

IN RE: PETITION SPECIAL HEARING
NE/S and SW/S of Yeoho Road,
540' NW of the centerline of
Belfast Road - 8th Election
District
John B. Merryman, et ux,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-281-SPH

AMENDED ORDER

At the request of People's Counsel, who raised post decision questions as to the configuration of the parcels presented by the Petitioners at the original hearing, the Zoning Commissioner stayed his Order of April 10, 1985 and scheduled another hearing for May 29, 1985.

People's Counsel and Counsel for the Petitioners appeared and made legal argument on the issues presented by People's Counsel. Those issues were whether transfer of density is permitted within a R.C.2 Zone and how computation of the parcels is determined. People's Counsel argued that transfer of density is not permitted and agreed that computation is determined by the metes and bounds descriptions found in a particular deed. Counsel for the Petitioners argued that the intent of the R.C.2 legislation was to permit transfer of density.

The relief prayed for by the Petitioners will be confirmed in that it has been a consistent policy of the Zoning Commissioner and the Zoning Office that the right to divide or transfer density from one lot to another, or cluster, in a R.C.2 Zone can be allowed when there is a public hearing. See attached policy, RSD-10. The policy is self-explanatory and is of a long-standing nature. Transfer of density in a R.C.2 Zone has been granted prior to this decision, but only after a hearing in which the public has been made aware of the proposal and the petitioner has been provided with a public forum in which to justify his request and conform to the legislative intent defined in Section 1A01.1.A and B, Baltimore County Zoning Regulations (BCZR).

RECEIVED JUN 24 1985

25-8; Aspen Hill Venture v. Montgomery County, 265 Md. 303 (1972). Landay v. MacWilliams, 173 Md. 460 (1938) a/k/a Landay v. Bd. of Zoning Appeals. Zoning regulations must be strictly construed and cannot be extended by implication to prohibit uses not clearly within their scope. Gino's of Maryland, Inc. v. Baltimore, 250 Md. 621 (1968); McQuillin, Municipal Corp., Section 25.72.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Supervisor v. Southgate Harbor, 279 Md. 586 (1977). If Section 1A01.1, 2, and 3, BCZR, were read together, it would be clear that transfer of density would be permitted under the narrow conditions described above.

Here, the Petitioners proposal meets and satisfies those conditions. The plan presented reduced the permissible development and maintains the spirit and intent of the BCZR. The Findings of Fact and Conclusions of Law, as set out in the April 10, 1985 decision, are fully incorporated and adopted here by reference and no more need be said.

For the above reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of June, 1985, that the relief prayed for in this matter is hereby DENIED, as more specifically described in the April 10, 1985 decision.

The appeal period shall begin to run from May 29, 1985.

AJ/srl

cc: Lewis L. Fleury, Esquire

People's Counsel

IN RE: PETITION SPECIAL HEARING
NE/S and SW/S of Yeoho Road,
540' NW of the centerline of
Belfast Road - 8th Election
District
John B. Merryman, et ux,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-281-SPH

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of June, 1985, that Paragraph 3, Page 5 of the Order dated June 19, 1985 shall be AMENDED to read as follows:

For the above reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of June, 1985, that upon reconsideration of the decision rendered in this matter, dated April 10, 1985, the relief prayed for by the Petitioner is hereby GRANTED.

Carl J. ...
Zoning Commissioner of Baltimore County

AJ/srl

cc: Lewis L. Fleury, Esquire

People's Counsel

RECEIVED JUL 10 1985

There is a strong presumption of the correctness of original zones and of comprehensive zoning. Howard County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPietro, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981). Section 413.2, BCZR, is clear and unambiguous.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be considered in its entirety, and in the context of the purpose underlying [its] enactment. Giant of Md. v. State's Attorney, 267 Md. 501 at 503, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 823-3808

DESCRIPTION TO ACCOMPANY SALVATION ARMY PLAT

FOR SPECIAL HEARING - TO TRANSFER DENSITY

October 28, 1985

Beginning for the same at a point on the north east side of Monkton Road northwesterly 233° 1' from the center of Carroll Road at the beginning of the land which by deed G.T.G. 4600, folio 198, was conveyed by Frances W. Haussner to the Salvation Army, Incorporated running thence on the north east side of Monkton Road 3 61° 43' 18" E 1238.28' thence leaving said road and binding on the outline of the Salvation Army Inc. Properties the 20 following courses and distances: 1) N 20° 21' 32" E 976.55', 2) N 83° 30' 1" E 1072.05', 3) N 21° 10' 41" E 709.19', 4) S 69° 26' 50" E 828.19', 5) N 1° 32' 06" E 239.39', 6) N 54° 54' 52" E 59.02', 7) N 36° 43' 43" W 1475.77', 8) N 31° 16' 17" E 82.50', 9) N 47° 43' 43" W 515.50', 10) N 81° 43' 43" W 224.40', 11) N 32° 43' 43" W 115.50', 12) N 53° 43' 43" W 95.70', 13) N 72° 03' 15" W 286.84', 14) N 44° 03' 32" W 390' ±, 15) S 27° 00' 00" W 1200' ±, 16) S 63° 25' 27" E 340' ±, 17) S 29° 27' 09" W 666.00', 18) S 5° 23' 38" E 252', 19) S 29° 20' 27" W 264' and 20) S 35° 46' 38" W 1046' to the place of beginning.

Containing 141.8 acres of land more or less.
Being the land of the Salvation Army Incorporated.



E. F. Raphael
E. F. Raphael
Reg. Prof. Land Surveyor
#2246

JUN 28 1985

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, zoned R.C.2, contains four separate parcels, each individually recorded among the Land Records of Baltimore County by separate deeds. Parcel A contains 31.5 acres, Parcel B contains 35 acres, Parcel C contains 37.5 acres, and Parcel D contains 37.8 acres. Each could be divided into two building lots. The property, located on Monkton Road, is adjacent to Patchwork Farms, a subdivision consisting of 11 building lots. The Contract Purchaser proposes to reconfigure the four parcels by locating four building lots, each containing 3 acres, on Monkton Road, and two building lots, one containing 5.1 acres and the other containing 5.5 acres, directly behind them. Only two lots, one containing 3 acres and the other containing 5.5 acres, would adjoin Patchwork Farms. An easement would traverse the site from Monkton Road to the rear of the property, where it is proposed that two tracts would be created. Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A,

ORDER RECEIVED FOR PLANS

DATE February 18, 1996 Stallion Farm, Longview, Ark.

BY

Section 1900.1, RCZ, explains the Baltimore County Council's (Council) intent in creating the R.C. classifications. The concern was evident that agricultural land was being converted by development without sound planning considerations, i.e., that development was creating "urban sprawl" and undesirable land use patterns. The Council wanted to protect prime agricultural land, critical watershed areas, mineral extractive sites, as well as other important natural resource areas. To achieve this result, the R.C.

ORDER RECEIVED FOR FILMS

DATE February 10, 1986

BY

- 2 -

See *Smith v. Miller*, 249 Md. 390. Thus, the specific language delineating the

UNIVERSITY MICROFILMS
SERIALS ACQUISITION
300 N ZEEB RD
ANN ARBOR MI 48106

February 10, 1986
ATF
Sgt. P. Lewis

 γ

- 3 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested approval of transfer should be granted.


100

February 10, 1986

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- 4

3. The Petitioner shall record the above restriction with the deeds to both Tracts A and B and submit copies of same to the Zoning Commissioner.


Zoning Commissioner of
Baltimore County

Mr. Ron Baldwin

UNITED STATES GOVERNMENT

DATE February 11, 1966

ע

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Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to approve the re-alignment of the four parcels which compose the subject property and approve the transfer of density to be utilized for a total of 8 building lots in the R.C.2 zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman
Peter Max Zimmerman

Re: Petition for Special Hearing
NE/S Monkton Rd., 2330' NW of the c/l of
Carroll Road
10th Election District
Petitioner - The Salvation Army
Case No. 86-286-SPH

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing ~~thereof~~.

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 016198

DATE 12/26/66 AMOUNT 100.00

PAID TO John J. Williams

RECEIVED FROM John J. Williams

FOR RENT

B 177 ***** 10 02741

VALIDATION OR SIGNATURE OF CASHIER

W. M. H. JUNG
DEPUTY ZONING COMMISSIONER

e County, Maryland, and remit
ling, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 9, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 9, 1986

THE JEFFERSONIAN,

18 Kentish
Publisher

Cost of Advertising
24.75

86-286

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 8, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 8, 1986.

TOWSON TIMES,

18 Kentish
Publisher

42.50

86-286-SPH

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

December 27, 1985

NOTICE OF HEARING

PETITION FOR SPECIAL HEARING
NE/S Monkton Rd., 2330' NW of the
c/l of Carroll Road - 10th Elec. Dist.
The Salvation Army - Petitioner
Case No. 86-286-SPH

TIME: 10:30 a.m.

DATE: Monday, January 27, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012800

DATE: 1/27/86 ACCOUNT: 86-286-SPH

AMOUNT: \$42.50

RECEIVED FROM: *Stephen J. Nolan*

FOR: *Stephen J. Nolan*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 3, 1986

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 86-286-SPH
The Salvation Army,
Petitioner

Dear Mr. Nolan:

I am in receipt of your letter dated April 1, 1986, with reference to the above.

Please notify Mr. Ron Baldwin, President of the Patchwork Homeowners Association, as to the proposed changes. If he, on behalf of the Association, does not object, no further hearing will be required; however, a revised site plan will need to be submitted. If he does, or if he believes a further hearing is necessary, then I will require one.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 10th Date of Posting: 1/13/86

Posted for: Special Hearing

Petitioner: The Salvation Army

Location of property: NE/S Monkton Rd., 2330' NW of Carroll Rd.

Location of Signs: NE/S Monkton Rd., 2330' NW of Carroll Rd.

Remarks: Petitioner's Attorney: Stephen J. Nolan, Esquire

Posted by: *Arnold Jablon* Date of return: 1/14/86

Number of Signs: 1

Case No. 86-286-SPH BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 12th day of December, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: The Salvation Army
Petitioner's Attorney: Stephen J. Nolan, Esquire
Received by: *Stephen J. Nolan*
Chairman, Zoning Plans Advisory Committee

LAW OFFICES NOLAN, PLUMHOFF & WILLIAMS CHARTERED

204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

April 1, 1986

HAND DELIVERY

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case No. 86-286-SPH
Petition for Special Hearing
NE/S of Monkton Road, 2,330' NW
of the centerline of Carroll Road
Petitioner: The Salvation Army
Hearing Date: January 27, 1986
Date of Order: February 10, 1986

Dear Commissioner Jablon:

On February 10, 1986, an Order was entered in the above-captioned case granting the requested transfer of density on property zoned R.C.2, subject to three enumerated restrictions. A copy of your Order is enclosed for your convenience. As noted in your February 10 Order, re-configured Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A, would consist of 43 acres and also have one density unit.

The purpose of this letter is to apprise the Commissioner concerning a change in circumstances which will require our client, Richard A. Moore, to change the division line between Tract A and Tract B in a manner which will reduce the size of Tract A and increase the size of Tract B. Specifically, the owner of the Westfield horse farm has decided not to purchase adjoining Tract A which has necessitated that a downsized version of Tract A be placed on the market for sale.

Although the actual size of each Tract has not been finalized as yet due to the owner's desire to have some flexibility in attempting to resell Tract A, Tract A, by way of illustration only, may have approximately 10 acres in lieu of the original 76.2 acres and Tract B may have 109.2 acres rather than the originally proposed 43 acres. The net effect of this is that an increased amount of Tract B acreage will be protected within Mr. Moore's soil conservation program.

The Honorable Arnold Jablon
Re: Case No. 86-286-SPH
April 1, 1986
Page 2

As soon as the alteration of the division line of Tract A and B has been finalized, we will promptly supplement this letter with the necessary information. If the Commissioner would prefer that we proceed to file at this time a proposed Amended Order granting the Petitioner's right to alter the division line, I will be happy to immediately draft and submit the same for your consideration. On the other hand, if you feel that no amended order will be necessary given the fact that the proposed alteration does not disturb the spirit or intent of your February 10, 1986 Order, then we will request that this letter of information be made a part of the file in this matter.

We greatly appreciate your kind consideration of this request and we stand ready to submit whatever additional information or material you may desire.

Very truly yours,
Stephen J. Nolan
Stephen J. Nolan

SJN:cmd

enc.

cc: Richard A. Moore
Raymond F. Raphael
Newton A. Williams, Esquire

PATCHWORK HOMEOWNER'S ASSOCIATION

February 10, 1986

Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing, January 27, 1986

Dear Commissioner Jablon:

During the above-referenced hearing, you requested that I send you a document stating that Patchwork Homeowner's Association has given me the authority to represent them in matters such as these.

Enclosed, please find a copy of the January 17, 1986 Patchwork Homeowner's Association annual meeting minutes. On page two of these minutes you will find that I was elected to serve as president and given the authority to represent the association.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin, President

PATCHWORK HOMEOWNERS ASSOCIATION MINUTES OF MEETING JANUARY 14, 1986

RON BALDWIN CALLED THE MEETING TO ORDER. RON OPENED THE MEETING BY DISTRIBUTING COPIES OF THE AMENDED RESTRICTIONS AND A COPY OF THE AGREEMENT PERTAINING TO LOT 12.

BOBBY PROUT BRIEFED US ON THE PARTICULARS OF THE HOME HE WAS PLANNING TO BUILD ON LOT 12. HE STATED THAT THE HOUSE WOULD BE APPROXIMATELY 1900 - 2000 SQUARE FEET. HE SHOWED US PLANS AND EXPLAINED THAT DUE TO THE SETTING OF THE LOT, THE HOUSE WOULD BE "L" SHAPED. WITH A TWO CAR GARAGE FACING PATCHWORK CT. HE ALSO POINTED OUT THAT IT WOULD BE A FRAME HOUSE, WITH A STEEP PITCHED ROOF, AND WOULD HAVE A DECK ON THE BACK. EVERYONE WAS SATISFIED WITH THIS.

RON BALDWIN ADVISED THE STATUS OF THE WOODED LAND, FORMERLY OWNED BY THE SALVATION ARMY. RON ADVISED US THAT DICK MOORE HAD PURCHASED THE PROPERTY AND HAD SCHEDULED A ZONING HEARING FOR DEVELOPMENT. RON SHOWED US A PLAT THAT DEPICTED THE TENTATIVE PARCELS TO BE SOLD. THE LOTS WERE DIVIDED UP, IN A MANNER THAT HAD FOUR LOTS FRONTING MONKTON ROAD, AND TWO LOTS ADJACENT. THESE LOTS WERE ALL APPROXIMATELY 4.5 ACRES. THE BALANCE OF THE PROPERTY WAS DIVIDED INTO TWO LOTS. ONE OF WHICH WOULD BECOME A PART OF DICK MOORE'S FARM, THE OTHER IS PROPOSED TO BECOME PART OF THE BUCK'S FARM.

BILL FORNOFF REPORTED THE ASSOCIATION'S FINANCIAL STATUS AS FOLLOWS:

CHECKING ACCOUNT BALANCE	\$ 201.32
SAVINGS ACCOUNT BALANCE	754.06
CERTIFICATE OF DEPOSIT	733.71
TOTAL OF ACCOUNTS	\$ 733.71
DUES OUTSTANDING	\$ 100.00
ROAD FUND OUTSTANDING	420.00
TOTAL OUTSTANDING	\$ 520.00

IT WAS ALSO REPORTED THAT THE \$2000.00 THAT DICK MOORE COMMITTED FOR THE ROAD FUND WOULD NOT BE DUE TO BE PAID, UNTIL A BUILDING PERMIT HAD BEEN ATTAINED FOR A HOUSE ON LOT 12.

RON BALDWIN MOVED TO ELECT NEW OFFICERS. BRICE NOMINATED RON BALDWIN AND BILL FORNOFF CONTINUE AS PRESIDENT AND SECRETARY/TREASURER FOR ONE MORE YEAR.

RON WAS RELUCTANT, BUT WAS SWAYED WHEN BRICE MOVED TO INCLUDE A DINNER FOR TWO FOR THE PRESIDENT, ON THE ASSOCIATION. RON AGREED. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. BRICE ALSO MOVED TO HAVE RON BALDWIN REPRESENT THE ASSOCIATION IN WHATEVER DEALINGS OR PROCEEDINGS CONCERNING THE ASSOCIATION MAY OCCUR. THE MOTION WAS SECONDED AND THE VOTE WAS UNANIMOUS.

RON BALDWIN SUGGESTED MAINTAINING THE ASSOCIATION DUES AT \$ 20.00 PER YEAR, BUT FELT THAT WE SHOULD CONSIDER RAISING THE ROAD FUND, DUE TO THE DECLINING CONDITION OF THE ROAD. HE ALSO ADVISED THAT SOME ROAD REPAIRS MAY BE IN ORDER LATER THIS YEAR. BRICE DOWELL MOVED THAT THE ASSOCIATION DUES REMAIN AT \$20.00 AND THAT THE ROAD FUND BE INCREASED TO \$80.00 FOR 1986, AND INCREASE TO \$100.00 FOR 1987. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. IT WAS ALSO SUGGESTED AND AGREED THAT \$400.00 BE MAINTAINED IN THE SAVINGS ACCOUNT AND THE BALANCE BE PUT INTO A CERTIFICATE OF DEPOSIT.

BILL FORNOFF MOVED TO ADJOURN THE MEETING. IT WAS SECONDED, AND ADJOURNED.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2311
RUSSELL J. WHITE

December 9, 1985

Mr. James E. Dyer
Zoning Supervisor
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Item No. 162
Petitioners: The Salvation Army and
Richard A. Moore
Northeast Side of Monks Road
2,330 feet Northwest from the Centerline
of Carroll Road
Tenth Election District
REQUEST FOR HEARING

Dear Mr. Dyer:

As Counsel for the Petitioners, the Salvation Army, a Georgia Corporation, and Richard A. Moore, the Contract Purchaser, I am requesting that the Petition for Special Hearing in the above-entitled case be scheduled for a hearing at the earliest possible date. This Petition involves a request for the approval of the realignment of the four parcels which compose this 141.8 acre property and to approve the transfer of density units.

For your information, the Zoning Commissioner considered a similar realignment request in the Merryman case, Case No. 85-281-SPH, which request was granted by an amended Order dated June 26, 1985.

As filed on October 29, 1985, our Petition for Special Hearing involves similar issues and we sincerely believe that this matter is in a posture to proceed to hearing.

Therefore, I would greatly appreciate your assistance in scheduling this matter as early as your hearing docket will permit. Thank you for your assistance.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

Mr. James E. Dyer
Zoning Supervisor
Re: Item No. 162
December 9, 1985
Page 2

cc: Mr. Cone Raphael
E. F. Raphael & Associates

Mr. Richard A. Moore

Mr. Bramwell H. Tillsley,
Vice President
The Salvation Army
2643 Maryland Avenue
Baltimore, Maryland 21218

PL-2248
Patchwork Homeowner
Association
May 5, 1986
ZONING DEPARTMENT

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing
Date of Order: FEBRUARY 19, 1986
SALVATION ARMY

Dear Commissioner Jablon:

I have reviewed your order on the above-referenced case, particularly the restrictions on Tract A and Tract B.

During our telephone conversation last week, you confirmed that a change in the boundary line between Tracts A and B, which would result in Tract A consisting of 10 acres and Tract B consisting of 109 acres, would not affect the enforcement of the restrictions placed on the tracts in your order.

Therefore, on behalf of the members of the homeowners association, I find no reason to object to the proposed change and no reason for another hearing on this matter.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin
President

cc: Stephen J. Nolan, Esquire

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: January 17, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-286-SPH

The subject will be reviewed by the CRC on January 30, 1986. If it is permitted to arrange the lots as proposed on these parcels of land, it would permit the retention of more acres in farm land than would be possible otherwise. If this proposal is approved, it is requested that the petitioner be required to develop and obtain approval of a soil conservation plan for the two farm tracts.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEC:JCH:sam

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

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Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: November 21, 1985

FROM: Charles R. Burnham, Chief, Building Plans Review C.R.B.

SUBJECT: Zoning Advisory Committee Meeting
Meeting Scheduled 11/12/85

Item #160	See Comments
Item #161	See Comments
Item #162	No Comment
Item #163	No Comment
Item #164	See Comments
Item #165	See Comments
Item #166	See Comments
Item #167	See Comments
Item #108 (Revised)	See Comments

CED/vw

PAUL H. REINCKE
CHIEF

November 21, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Salvation Army

Location: NE/S Monkton Road, 2330' NW of Carroll Road

Item No.: 162 Zoning Agenda: Meeting of November 12, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property:

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Roads shall be in accordance with Baltimore County Standard Design Manual.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

/mb

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 13, 1986

Re: Zoning Advisory Meeting of November 12, 1985
Item # 162
Property Owner: THE SALVATION ARMY
Location: NE/S OF MONKTON ROAD, 2330'
NW OF CARROLL ROAD

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

cc: James Howell

Eunene A. Sober
Chief, Current Planning and Development

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 12, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 160, 162, 163, 165, and 167.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

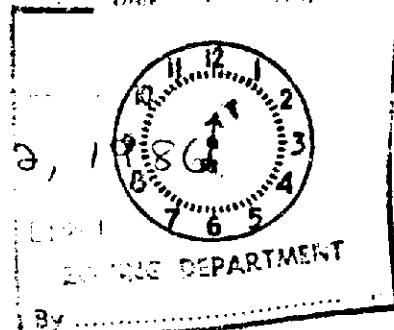
MSF/bld

1/27
86-286 SPH

86-1445
C-12

1/14/86
To
Phida M. Riden
2306 Monkton Road
Monkton, Maryland 21111

86-286-SPH
SALVATION ARMY
JAN 14 AM



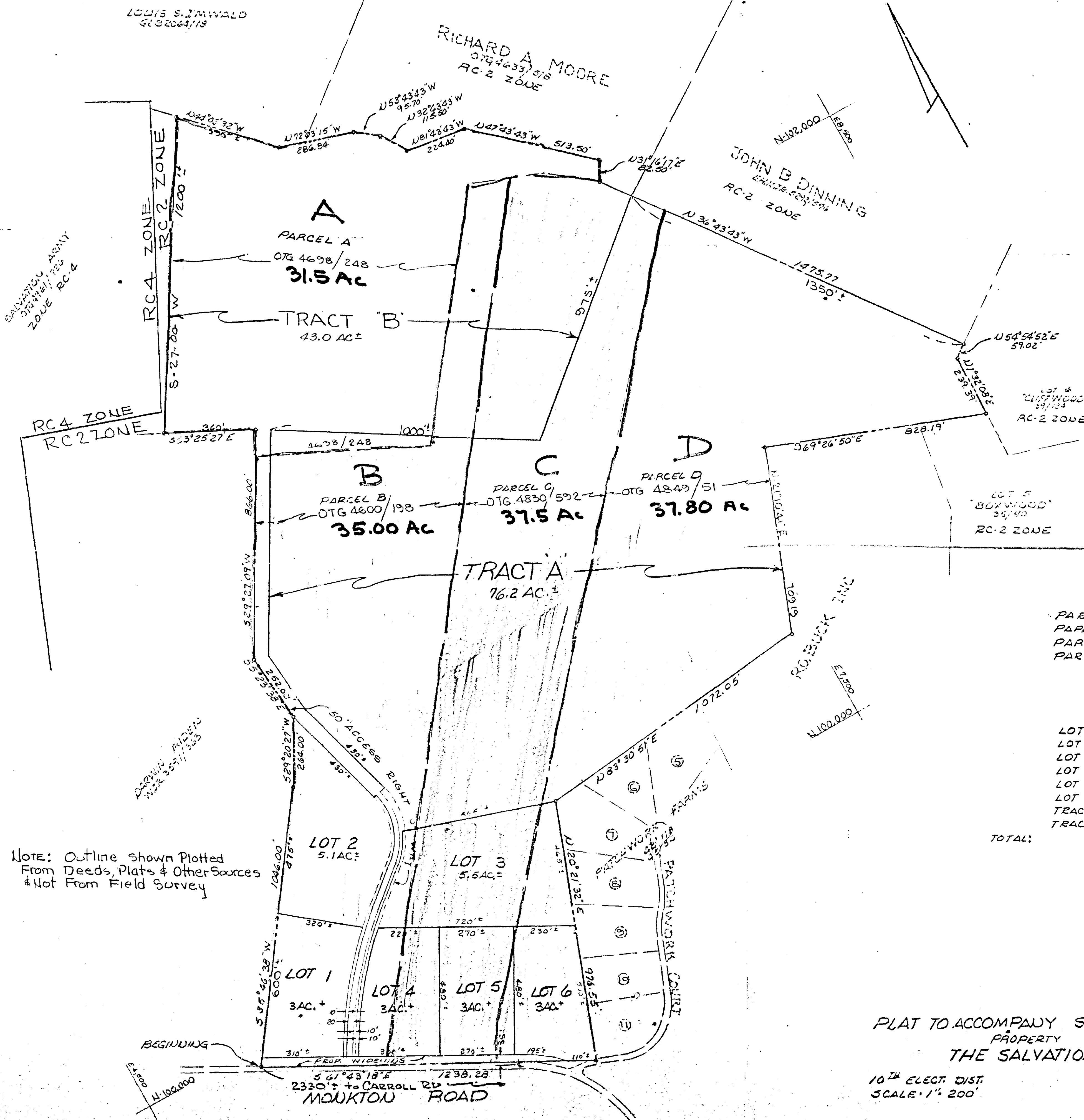
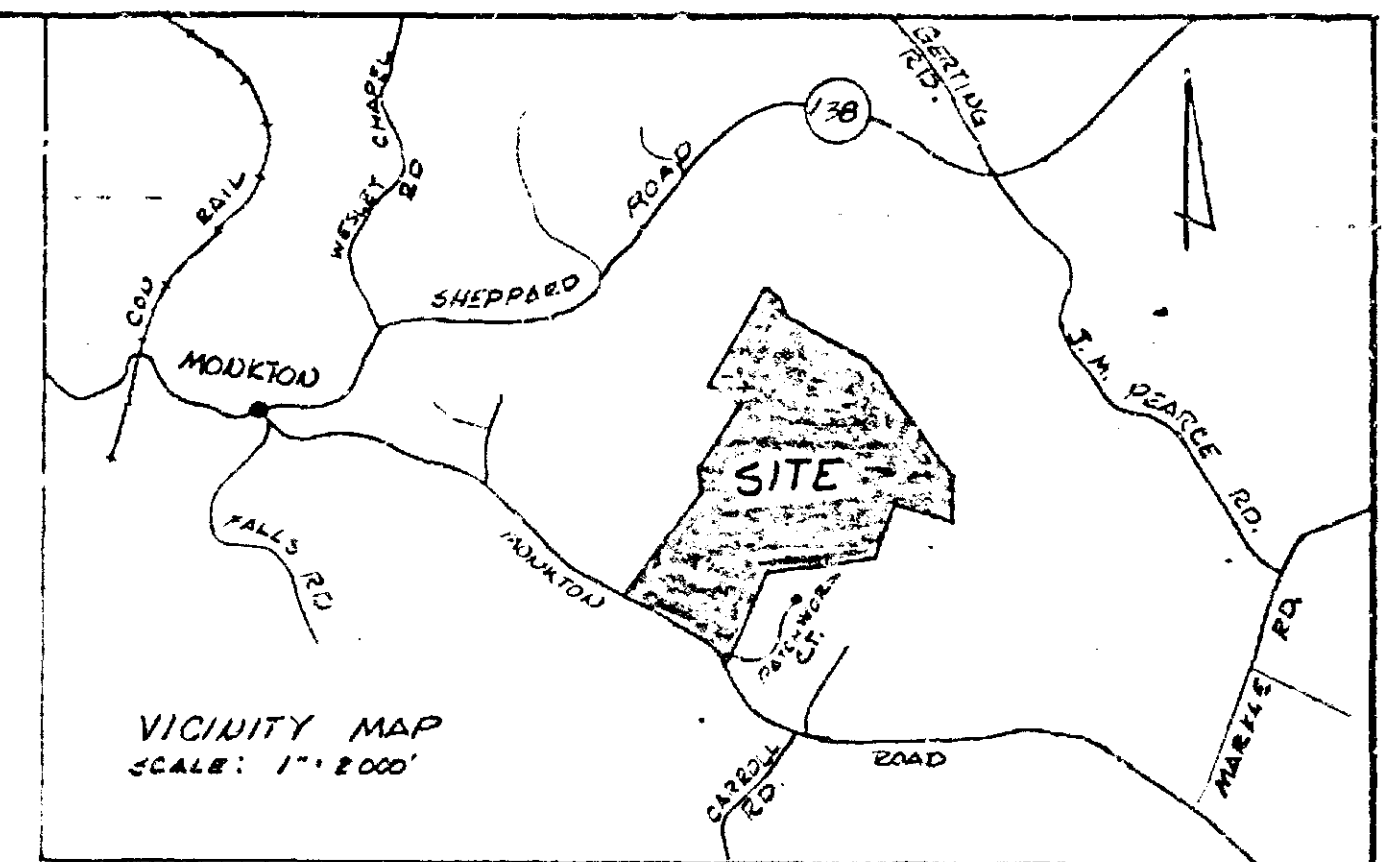
Zoning Board
Room 106
111 W. Chesapeake Ave
Towson 21204, Md.
Gentlemen:

Jan. 27, 1986 you are conducting a hearing regarding change from Agriculture to residential property adjoining mine on Monkton Road, Monkton, Md.

I will be out of town and unable to attend the hearing but I want to take this means of registering my objection to this change.

We bought our property more than twenty five years ago and have seen development all around our farm. There is precious little farm land left and it would be a shame to further develop in our area.

Very truly yours
Phida M. Riden
(Darwin's Choice Farm)



DENSITY CALCULATIONS RC-2 ZONE EXISTING

TITLE DEED	ACRES	LOTS PERMITTED
PARCEL A OTG 4698/248	31.50±	2 LOTS
PARCEL B OTG 4600/198	35.00±	2 LOTS
PARCEL C OTG 4830/592	37.50±	2 LOTS
PARCEL D OTG 4849/51	37.80±	2 LOTS
TOTAL ACRES = 141.80±		TOTAL LOTS = 8 LOTS
		DENSITY 8/141.80 AC = 0.056 UNITS/AC.

PROPOSED

LOT	ACRES±	PART OF PARCELS
LOT 1	3.0 ACRES±	PART OF PARCEL B
LOT 2	5.1 ACRES±	PART OF PARCEL B
LOT 3	5.5 ACRES±	PART OF PARCELS B, C, & D
LOT 4	3.0 ACRES±	PART OF PARCELS B & C
LOT 5	3.0 ACRES±	PART OF PARCELS C & D
LOT 6	3.0 ACRES±	PART OF PARCELS C & D
TRACT A	76.2 ACRES±	PART OF PARCELS A, B, C, & D
TRACT B	43.0 ACRES±	PART OF PARCELS A, B, & C
TOTAL:	8 LOTS 141.8 ACRES±	DENSITY: 8/141.80 AC = 0.056 UNITS/AC.

**PETITIONER'S
EXHIBIT 2**



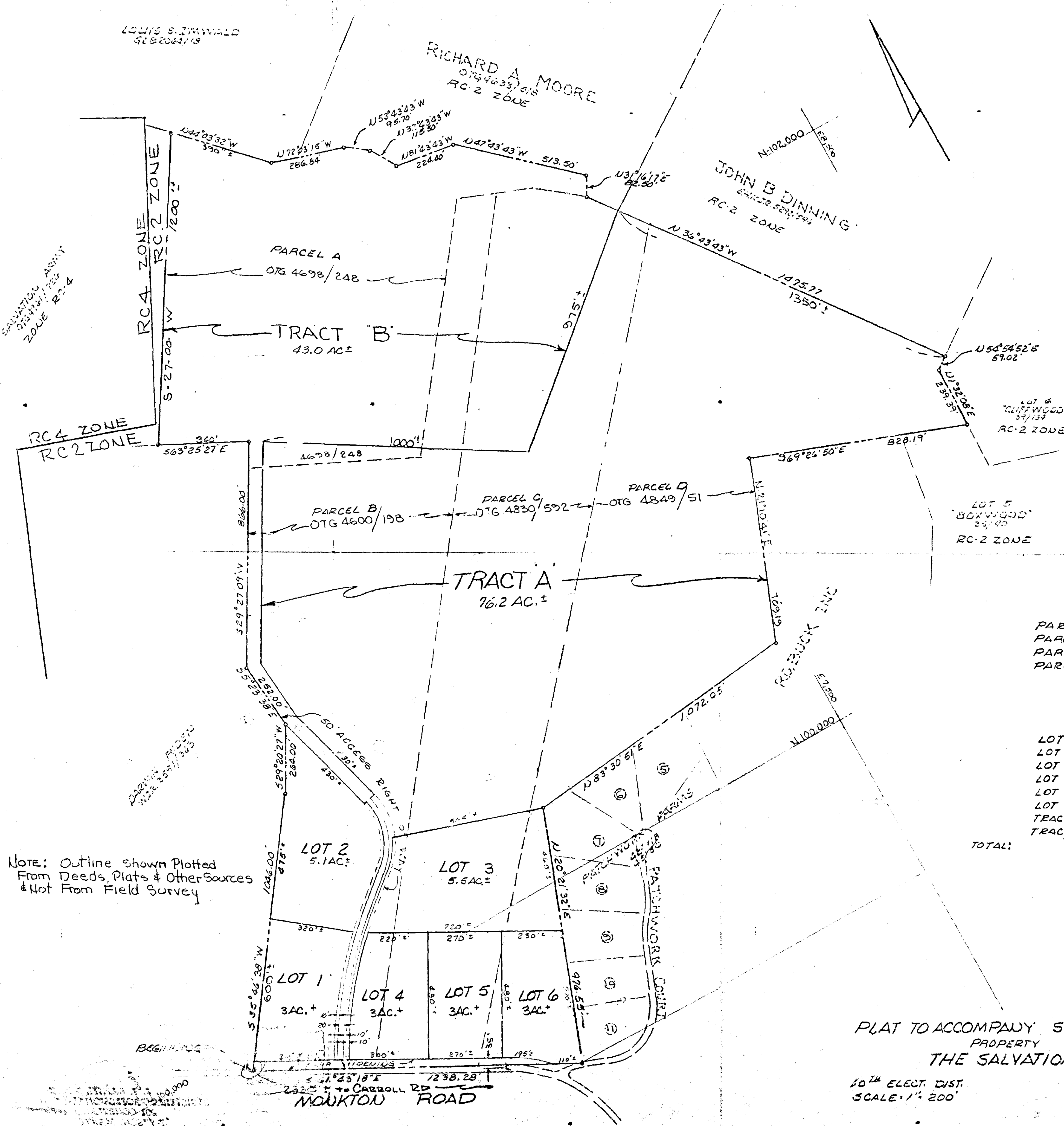
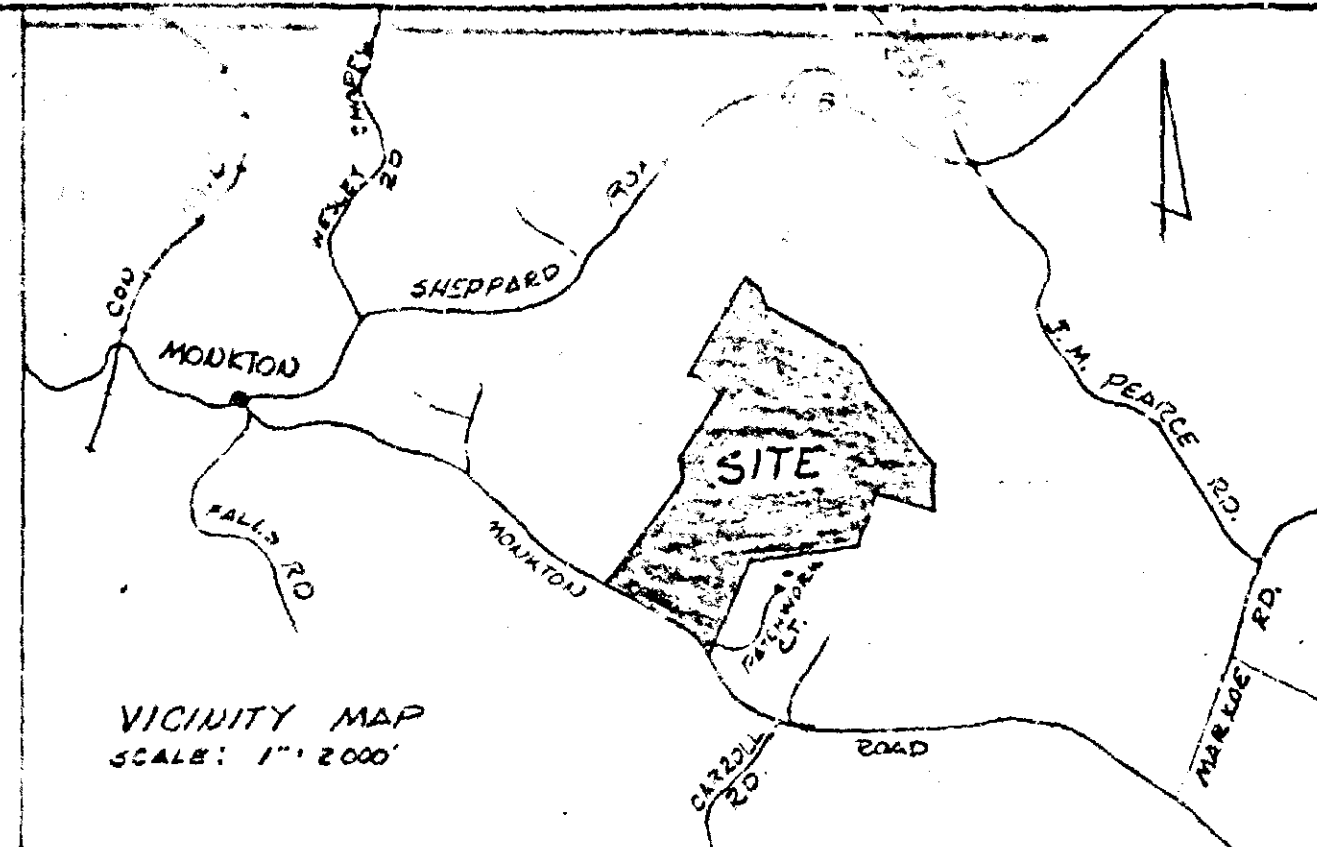
PLAT TO ACCOMPANY SPECIAL HEARING
PROPERTY OF
THE SALVATION ARMY

10TH ELECT. DIST.
SCALE: 1" = 200'

31ST CO. MD.
COT. 25, 1983

E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

REVISED: JAN. 2, 1986 - LOT LINES



**DENSITY CALCULATIONS
RC-2 ZONE
EXISTING**

TITLE DEED	ACRES	LOTS PERMITTED
PARCEL A OTG 4698/248	31.50 [±]	2 LOTS
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PARCEL D OTG 4849/51	37.80 [±]	2 LOTS
TOTAL ACRES: 141.80[±]	TOTAL LOTS: 8 LOTS	
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LOT 1	3.0 ACRES [±]	PART OF PARCEL B
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LOT 3	5.5 ACRES [±]	PART OF PARCELS B, C, & D
LOT 4	3.0 ACRES [±]	PART OF PARCELS B & C
LOT 5	3.0 ACRES [±]	PART OF PARCELS C & D
LOT 6	3.0 ACRES [±]	PART OF PARCELS C & D
TRACT A	76.2 ACRES [±]	PART OF PARCELS A, B, C, & D
TRACT B	43.0 ACRES [±]	PART OF PARCELS A, B, & C
TOTAL:	8 LOTS 141.8 ACRES[±]	DENSITY: 8/141.80 AC ± 0.056 UNITS/AC.

NOTE: Outline shown Plotted From Deeds, Plats & Other Sources & Not From Field Survey

**PETITIONER'S
EXHIBIT 1**



PLAT TO ACCOMPANY SPECIAL HEARING
PROPERTY OF
THE SALVATION ARMY

10TH ELECT. DIST.
SCALE: 1" = 200'

DATE: JAN. 25, 1983

E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
301 COURTLAND AVENUE
TOWSON, MARYLAND 21204

REVISED: JAN. 2, 1986 - LOT LINES

*Revised plan
item 162
1-10-86*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, zoned R.C.2, contains four separate parcels, each individually recorded among the Land Records of Baltimore County by separate deeds. Parcel A contains 31.5 acres, Parcel B contains 35 acres, Parcel C contains 37.5 acres, and Parcel D contains 37.8 acres. Each could be divided into two building lots. The property, located on Monkton Road, is adjacent to Patchwork Farms, a subdivision consisting of 11 building lots. The Contract Purchaser proposes to reconfigure the four parcels by locating four building lots, each containing 3 acres, on Monkton Road, and two building lots, one containing 5.1 acres and the other containing 5.5 acres, directly behind them. Only two lots, one containing 3 acres and the other containing 5.5 acres, would adjoin Patchwork Farms. An easement would traverse the site from Monkton Road to the rear of the property, where it is proposed that two tracts would be created. Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A,

ORDER RECEIVED FOR FILMS

DATE February 10, 1998 Stella L. Lowery, clerk

BY

Section 1900.1, RCZ, explains the Baltimore County Council's (Council) intent in creating the R.C. classifications. The concern was evident that agricultural land was being converted by development without sound planning considerations, i.e., that development was creating "urban sprawl" and undesirable land use patterns. The Council wanted to protect prime agricultural land, critical watershed areas, mineral extractive sites, as well as other important natural resource areas. To achieve this result, the R.C.

ORDER RECEIVED FOR FILLS

DATE September 3, 1986 Hubert H. Hansen

BY

- 2 -

See *Smith v. Miller*, 249 Md. 390. Thus, the specific language delineating the

UNIVERSITY MICROFILMS
SERIALS ACQUISITION
300 N ZEEB RD
ANN ARBOR MI 48106

ATE
February 10, 1986
Miss P. Lewis, etc.

2

- 3 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested approval of transfer should be granted.

RECEIVED FOR FILMO

TE
February 10, 1986
RECEIVED FOR FILING

7

1


Zoning Commissioner of
Baltimore County

s Counsel

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE *2/20/2006* PAGE *1* OF *1*

27

5

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman
Peter Max Zimmerman

No. 016198

DATE 1/25/68 ACCOUNT 100
AMOUNT 5.00
RECEIVED FROM 100
FOR 100
U 100
VALIDATION OR SIGNATURE OF CASHIER

JAN 20 1977

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 9, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 9, 1986

THE JEFFERSONIAN,

18 Kentel
Publisher

Cost of Advertising
24.75

86-286

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 8, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 8, 1986.

TOWSON TIMES,

18 Kentel
Publisher

42.50

86-286-SPH

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

December 27, 1985

NOTICE OF HEARING

PETITION FOR SPECIAL HEARING
NE/S Monkton Rd., 2330' NW of the
c/l of Carroll Road - 10th Elec. Dist.
The Salvation Army - Petitioner
Case No. 86-286-SPH

TIME: 10:30 a.m.

DATE: Monday, January 27, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012800

DATE: 1/27/86 ACCOUNT: 86-286-SPH

AMOUNT: \$42.50

RECEIVED FROM:

FOR: Stephen J. Nolan, Esquire

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 3, 1986

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 86-286-SPH
The Salvation Army,
Petitioner

Dear Mr. Nolan:

I am in receipt of your letter dated April 1, 1986, with reference to the above.

Please notify Mr. Ron Baldwin, President of the Patchwork Homeowners Association, as to the proposed changes. If he, on behalf of the Association, does not object, no further hearing will be required; however, a revised site plan will need to be submitted. If he does, or if he believes a further hearing is necessary, then I will require one.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 1/13/86

Posted for: Special Hearing

Petitioner: The Salvation Army

Location of property: NE/S Monkton Rd., 2330' NW of Carroll Rd.

Location of Signs: NE/S Monkton Rd., 2330' NW of Carroll Rd. on property of The Salvation Army

Remarks: Petitioner's Attorney: Stephen J. Nolan, Esquire

Posted by: M. Stealy Date of return: 1/14/86

Number of Signs: 1

Case No. 86-286-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 12th day of December, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: The Salvation Army
Petitioner's Attorney: Stephen J. Nolan, Esquire

Received by: *James E. Byrnes*
Chairman, Zoning Plans Advisory Committee

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH F. MOORE
9086 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2311
RUSSELL J. WHITE
HUSSELL J. WHITE

April 1, 1986

HAND DELIVERY

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case No. 86-286-SPH
Petition for Special Hearing
NE/S of Monkton Road, 2,330' NW
of the centerline of Carroll Road
Petitioner: The Salvation Army
Hearing Date: January 27, 1986
Date of Order: February 10, 1986

Dear Commissioner Jablon:

On February 10, 1986, an Order was entered in the above-captioned case granting the requested transfer of density on property zoned R.C.2, subject to three enumerated restrictions. A copy of your Order is enclosed for your convenience. As noted in your February 10 Order, re-configured Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A, would consist of 43 acres and also have one density unit.

The purpose of this letter is to apprise the Commissioner concerning a change in circumstances which will require our client, Richard A. Moore, to change the division line between Tract A and Tract B in a manner which will reduce the size of Tract A and increase the size of Tract B. Specifically, the owner of the Westfield horse farm has decided not to purchase adjoining Tract A which has necessitated that a downsized version of Tract A be placed on the market for sale.

Although the actual size of each Tract has not been finalized as yet due to the owner's desire to have some flexibility in attempting to resell Tract A, Tract A, by way of illustration only, may have approximately 10 acres in lieu of the original 76.2 acres and Tract B may have 109.2 acres rather than the originally proposed 43 acres. The net effect of this is that an increased amount of Tract B acreage will be protected within Mr. Moore's soil conservation program.

The Honorable Arnold Jablon
Re: Case No. 86-286-SPH
April 1, 1986
Page 2

As soon as the alteration of the division line of Tract A and B has been finalized, we will promptly supplement this letter with the necessary information. If the Commissioner would prefer that we proceed to file at this time a proposed Amended Order granting the Petitioner's right to alter the division line, I will be happy to immediately draft and submit the same for your consideration. On the other hand, if you feel that no amended order will be necessary given the fact that the proposed alteration does not disturb the spirit or intent of your February 10, 1986 Order, then we will request that this letter of information be made a part of the file in this matter.

We greatly appreciate your kind consideration of this request and we stand ready to submit whatever additional information or material you may desire.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

SJN:cmd

enc.

cc: Richard A. Moore
Raymond F. Raphael
Newton A. Williams, Esquire

PATCHWORK HOMEOWNER'S ASSOCIATION

February 10, 1986

Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing, January 27, 1986

Dear Commissioner Jablon:

During the above-referenced hearing, you requested that I send you a document stating that Patchwork Homeowner's Association has given me the authority to represent them in matters such as these.

Enclosed, please find a copy of the January 17, 1986 Patchwork Homeowner's Association annual meeting minutes. On page two of these minutes you will find that I was elected to serve as president and given the authority to represent the association.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin, President

PATCHWORK HOMEOWNERS ASSOCIATION

MINUTES OF MEETING JANUARY 14, 1986

RON BALDWIN CALLED THE MEETING TO ORDER. RON OPENED THE MEETING BY DISTRIBUTING COPIES OF THE AMENDED RESTRICTIONS AND A COPY OF THE AGREEMENT PERTAINING TO LOT 12.

BOBBY PROUT BRIEFED US ON THE PARTICULARS OF THE HOME HE WAS PLANNING TO BUILD ON LOT 12. HE STATED THAT THE HOUSE WOULD BE APPROXIMATELY 1900 - 2000 SQUARE FEET. HE SHOWED US PLANS AND EXPLAINED THAT DUE TO THE SETTING OF THE LOT, THE HOUSE WOULD BE "L" SHAPED. WITH A TWO CAR GARAGE FACING PATCHWORK CT. HE ALSO POINTED OUT THAT IT WOULD BE A FRAME HOUSE, WITH A STEEP PITCHED ROOF, AND WOULD HAVE A DECK ON THE BACK. EVERYONE WAS SATISFIED WITH THIS.

RON BALDWIN ADVISED THE STATUS OF THE WOODED LAND, FORMERLY OWNED BY THE SALVATION ARMY. RON ADVISED US THAT DICK MOORE HAD PURCHASED THE PROPERTY AND HAD SCHEDULED A ZONING HEARING FOR DEVELOPMENT. RON SHOWED US A PLAT THAT DEPICTED THE TENTATIVE PARCELS TO BE SOLD. THE LOTS WERE DIVIDED UP, IN A MANNER THAT HAD FOUR LOTS FRONTING MONKTON ROAD, AND TWO LOTS ADJACENT. THESE LOTS WERE ALL APPROXIMATELY 4.5 ACRES. THE BALANCE OF THE PROPERTY WAS DIVIDED INTO TWO LOTS. ONE OF WHICH WOULD BECOME A PART OF DICK MOORE'S FARM, THE OTHER IS PROPOSED TO BECOME PART OF THE BUCK'S FARM.

BILL FORNOFF REPORTED THE ASSOCIATION'S FINANCIAL STATUSAS FOLLOWS:

CHECKING ACCOUNT BALANCE	\$ 201.32
SAVINGS ACCOUNT BALANCE	754.06
CERTIFICATE OF DEPOSIT	733.71
TOTAL OF ACCOUNTS	\$ 733.71
DUES OUTSTANDING	\$ 100.00
ROAD FUND OUTSTANDING	420.00
TOTAL OUTSTANDING	\$ 520.00

IT WAS ALSO REPORTED THAT THE \$2000.00 THAT DICK MOORE COMMITTED FOR THE ROAD FUND WOULD NOT BE DUE TO BE PAID, UNTIL A BUILDING PERMIT HAD BEEN ATTAINED FOR A HOUSE ON LOT 12.

RON BALDWIN MOVED TO ELECT NEW OFFICERS. BRICE NOMINATED RON BALDWIN AND BILL FORNOFF CONTINUE AS PRESIDENT AND SECRETARY/TREASURER FOR ONE MORE YEAR.

RON WAS RELUCTANT, BUT WAS SWAYED WHEN BRICE MOVED TO INCLUDE A DINNER FOR TWO FOR THE PRESIDENT, ON THE ASSOCIATION. RON AGREED. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. BRICE ALSO MOVED TO HAVE RON BALDWIN REPRESENT THE ASSOCIATION IN WHATEVER DEALINGS OR PROCEEDINGS CONCERNING THE ASSOCIATION MAY OCCUR. THE MOTION WAS SECONDED AND THE VOTE WAS UNANIMOUS.

RON BALDWIN SUGGESTED MAINTAINING THE ASSOCIATION DUES AT \$ 20.00 PER YEAR, BUT FELT THAT WE SHOULD CONSIDER RAISING THE ROAD FUND, DUE TO THE DECLINING CONDITION OF THE ROAD. HE ALSO ADVISED THAT SOME ROAD REPAIRS MAY BE IN ORDER LATER THIS YEAR. BRICE DOWELL MOVED THAT THE ASSOCIATION DUES REMAIN AT \$20.00 AND THAT THE ROAD FUND BE INCREASED TO \$80.00 FOR 1986, AND INCREASE TO \$100.00 FOR 1987. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. IT WAS ALSO SUGGESTED AND AGREED THAT \$400.00 BE MAINTAINED IN THE SAVINGS ACCOUNT AND THE BALANCE BE PUT INTO A CERTIFICATE OF DEPOSIT.

BILL FORNOFF MOVED TO ADJOURN THE MEETING. IT WAS SECONDED, AND ADJOURNED.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2311
RUSSELL J. WHITE

December 9, 1985

Mr. James E. Dyer
Zoning Supervisor
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Item No. 162
Petitioners: The Salvation Army and
Richard A. Moore
Northeast Side of Monkton Road
2,330 feet Northwest from the Centerline
of Carroll Road
Tenth Election District
REQUEST FOR HEARING

Dear Mr. Dyer:

As Counsel for the Petitioners, the Salvation Army, a Georgia Corporation, and Richard A. Moore, the Contract Purchaser, I am requesting that the Petition for Special Hearing in the above-entitled case be scheduled for a hearing at the earliest possible date. This Petition involves a request for the approval of the realignment of the four parcels which compose this 141.8 acre property and to approve the transfer of density units.

For your information, the Zoning Commissioner considered a similar realignment request in the Merryman case, Case No. 85-281-SPH, which request was granted by an amended Order dated June 26, 1985.

As filed on October 29, 1985, our Petition for Special Hearing involves similar issues and we sincerely believe that this matter is in a posture to proceed to hearing.

Therefore, I would greatly appreciate your assistance in scheduling this matter as early as your hearing docket will permit. Thank you for your assistance.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

Mr. James E. Dyer
Zoning Supervisor
Re: Item No. 162
December 9, 1985
Page 2

cc: Mr. Cone Raphael
E. F. Raphael & Associates

Mr. Richard A. Moore

Mr. Bramwell H. Tillsley,
Vice President
The Salvation Army
2643 Maryland Avenue
Baltimore, Maryland 21218

PL-2248
Patchwork Homeowner
Association
May 5, 1986
NOV 7 1985
ZONING DEPARTMENT

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing
Date of Order: FEBRUARY 19, 1986
SALVATION ARMY

Dear Commissioner Jablon:

I have reviewed your order on the above-referenced case, particularly the restrictions on Tract A and Tract B.

During our telephone conversation last week, you confirmed that a change in the boundary line between Tracts A and B, which would result in Tract A consisting of 10 acres and Tract B consisting of 109 acres, would not affect the enforcement of the restrictions placed on the tracts in your order.

Therefore, on behalf of the members of the homeowners association, I find no reason to object to the proposed change and no reason for another hearing on this matter.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin
President

cc: Stephen J. Nolan, Esquire

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: January 17, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-286-SPH

The subject will be reviewed by the CRC on January 30, 1986. If it is permitted to arrange the lots as proposed on these parcels of land, it would permit the retention of more acres in farm land than would be possible otherwise. If this proposal is approved, it is requested that the petitioner be required to develop and obtain approval of a soil conservation plan for the two farm tracts.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEC:JCH:sam

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

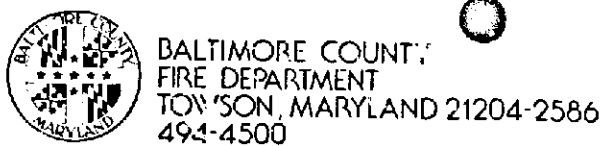
TO: Nicholas Commodari, Zoning Department Date: November 21, 1985

FROM: Charles R. Burnham, Chief, Building Plans Review C.R.B.

SUBJECT: Zoning Advisory Committee Meeting
Meeting Scheduled 11/12/85

Item #160	See Comments
Item #161	See Comments
Item #162	No Comment
Item #163	No Comment
Item #164	See Comments
Item #165	See Comments
Item #166	See Comments
Item #167	See Comments
Item #108 (Revised)	See Comments

CED/vw



PAUL H. REINCKE
CHIEF

November 21, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Salvation Army

Location: NE/S Monkton Road, 2330' NW of Carroll Road

Item No.: 162

Zoning Agenda: Meeting of November 12, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property:

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

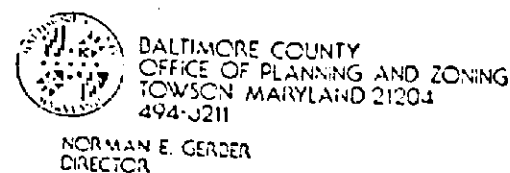
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Roads shall be in accordance with Baltimore County Standard Design Manual.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

/mb



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 13, 1986

Re: Zoning Advisory Meeting of November 12, 1985
Item # 162
Property Owner: THE SALVATION ARMY
Location: NE/S OF MONKTON ROAD, 2330'
NW OF CARROLL ROAD

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

cc: James Haswell

Eunene A. Sober
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 12, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 160, 162, 163, 165, and 167.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

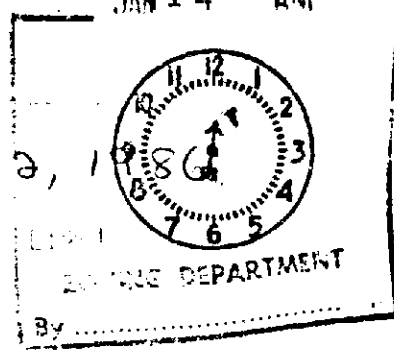
1/27
86-286 SPH

86-1445
C-12

1/14/86
To

Pheda M. Riden
2306 Monkton Road
Monkton, Maryland 21111

86-286-SPH
SALVATION ARMY
JAN 14 AM



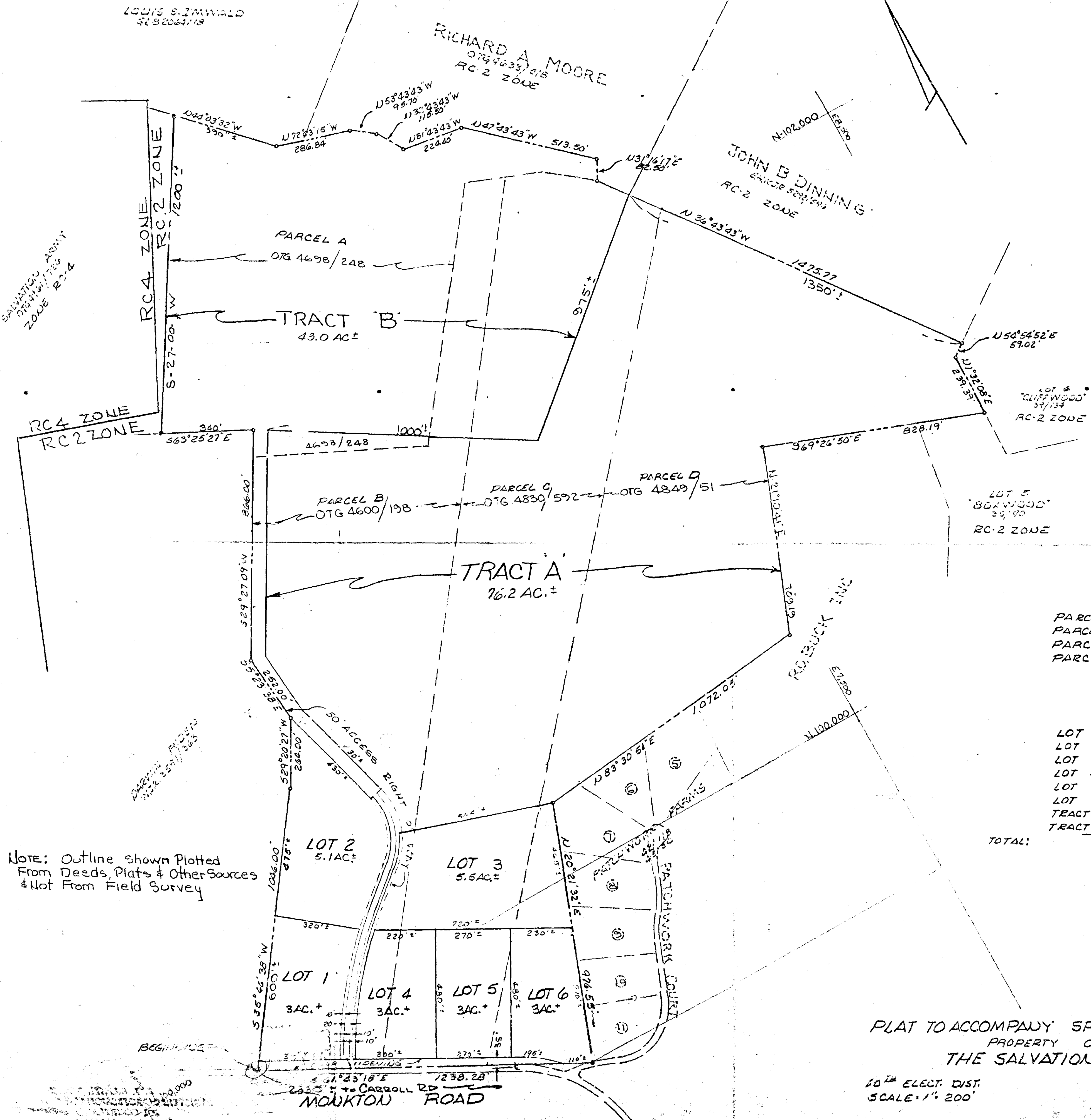
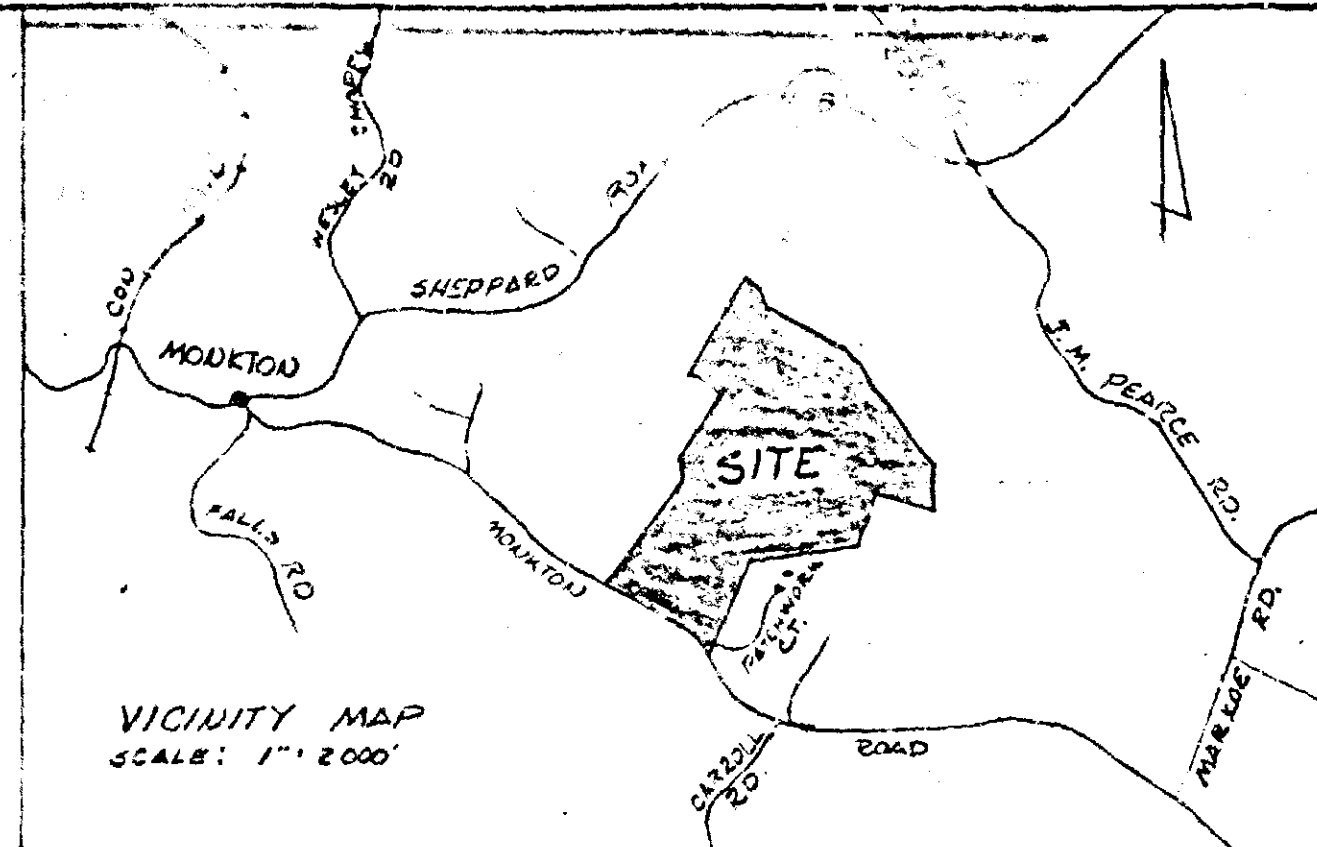
Zoning Board
Room 106
111 W. Chesapeake Ave
Towson 21204, Md.
Gentlemen:

Jan. 27 1986 you are conducting a hearing regarding change from Agriculture residential property adjoining mine on Monkton Road, Monkton, Md.

I will be out of town and unable to attend the hearing but I want to take this means of registering my objection to this change.

We bought our property more than twenty five years ago and have seen development all around our farm. There is precious little farm land left and it would be a shame to further develop in our area.

Very truly yours
Pheda M. Riden
(Darwin's Choice Farm)



NOTE: Outline shown Plotted From Deeds, Plats & Other Sources & Not From Field Survey

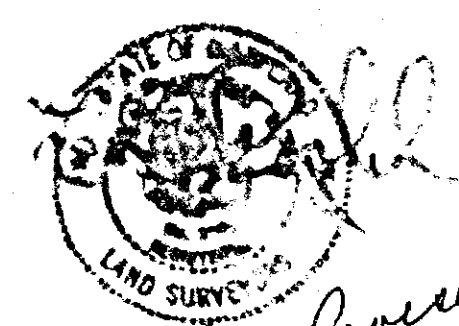
DENSITY CALCULATIONS RC-2 ZONE EXISTING

TITLE DEED	ACRES	LOTS PERMITTED
PARCEL A OTG 4498/248	31.50 [±]	2 LOTS
PARCEL B OTG 4600/198	35.00 [±]	2 LOTS
PARCEL C OTG 4830/592	37.50 [±]	2 LOTS
PARCEL D OTG 4849/51	37.80 [±]	2 LOTS
TOTAL ACRES: 141.80 [±]		TOTAL LOTS: 8 LOTS
DENSITY 8/141.80 = 0.056 UNITS/AC.		

PROPOSED

LOT 1	3.0 ACRES [±]	PART OF PARCEL B
LOT 2	5.1 ACRES [±]	PART OF PARCEL B
LOT 3	5.5 ACRES [±]	PART OF PARCELS B, C, & D
LOT 4	3.0 ACRES [±]	PART OF PARCELS B & C
LOT 5	3.0 ACRES [±]	PART OF PARCELS C & D
LOT 6	3.0 ACRES [±]	PART OF PARCELS C & D
TRACT A	76.2 ACRES [±]	PART OF PARCELS A, B, C, & D
TRACT B	43.0 ACRES [±]	PART OF PARCELS A, B, & C
TOTAL:	8 LOTS 141.8 ACRES [±]	DENSITY: 8/141.80 AC. = 0.056 UNITS/AC.

PETITIONER'S
EXHIBIT 1



PLAT TO ACCOMPANY SPECIAL HEARING
PROPERTY OF
THE SALVATION ARMY

10TH ELECT. DIST.
SCALE: 1" = 200'

DATE: JAN. 25, 1983

E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
301 COURTLAND AVENUE
TOWSON, MARYLAND 21204

REVISED: JAN. 2, 1986 - LOT LINES

Revised plan
item 162
1-10-86

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, zoned R.C.2, contains four separate parcels, each individually recorded among the Land Records of Baltimore County by separate deeds. Parcel A contains 31.5 acres, Parcel B contains 35 acres, Parcel C contains 37.5 acres, and Parcel D contains 37.8 acres. Each could be divided into two building lots. The property, located on Monkton Road, is adjacent to Patchwork Farms, a subdivision consisting of 11 building lots. The Contract Purchaser proposes to reconfigure the four parcels by locating four building lots, each containing 3 acres, on Monkton Road, and two building lots, one containing 5.1 acres and the other containing 5.5 acres, directly behind them. Only two lots, one containing 3 acres and the other containing 5.5 acres, would adjoin Patchwork Farms. An easement would traverse the site from Monkton Road to the rear of the property, where it is proposed that two tracts would be created. Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A,

Section 1900.1, RCZ, explains the Baltimore County Council's (Council) intent in creating the R.C. classifications. The concern was evident that agricultural land was being converted by development without sound planning considerations, i.e., that development was creating "urban sprawl" and undesirable land use patterns. The Council wanted to protect prime agricultural land, critical watershed areas, mineral extractive sites, as well as other important natural resource areas. To achieve this result, the R.C.

- 2 -


The conclusion is inescapable that, under the plain meaning of the statutes, the Zoning Commissioner's policy is correct. See State v. Fabritz, 276 W. 416 (1975).

The intent of the RCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested approval of transfer should be granted.

- 4

1. The Petitioner shall be required to develop and obtain approval of a soil conservation plan for the two farm tracts.
2. Tracts A and B shall have only one density unit each and shall not be resubdivided for a period of 20 years, even if a zoning change would occur in the interim which would permit further subdivision.
3. The Petitioner shall record the above restrictions with the deeds to both Tracts A and B and submit copies of same to the Zoning Commissioner.


Zoning Commissioner of
Baltimore County

AJ/srl
Attachment
cc: Newton A. Williams, Esquire
Mr. Ron Baldwin
✓ People's Counsel

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to approve the re-alignment of the four parcels which compose the subject property and approve the transfer of density to be utilized for a total of 8 building lots in the R.C.2 zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Stephen J. Nolan, Esquire and Nolan, Plumbhoff & Williams, Chartered, 204 W. Pennsylvania Ave., Towson, MD 21204, Counsel for Petitioner; and Richard A. Moore, 3312 Paper Mill Rd. Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

January 16, 1986

Re: Petition for Special Hearing
NE/S Monkton Rd., 2330' NW of the c/l of
Carroll Road
10th Election District
Petitioner - The Salvation Army
Case No. 86-286-SPH

Dear Mr. Nolan

This is to advise you that \$72.25 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing ~~itself~~

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 016198

DATE 12/28/66 ACCOUNT

AMOUNT \$ 100.00

RECEIVED FROM

FOR

B *****

VALIDATION OR SIGNATURE OF CASHIER

No. 016198

County, Maryland, and remit
ing, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 9, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 9, 1986

THE JEFFERSONIAN,

18 Kentel
Publisher

Cost of Advertising
24.75

86-286

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 8, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 8, 1986.

TOWSON TIMES,

18 Kentel
Publisher

42.50

86-286-SPH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 10th Date of Posting: 1/13/86
Posted for: Special Hearing
Petitioner: The Salvation Army
Location of property: NE/S Monkton Rd., 2330' NW of Carroll Rd.
Location of Signs: NE/S Monkton Rd., between W. Carroll Rd. and W. Carroll Rd.
Remarks: Petitioner's Attorney: Stephen J. Nolan, Esquire
Posted by: M. Stealy Date of return: 1/14/86
Number of Signs: 1

86-286-SPH

Case No. 86-286-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 12th day of December, 1985.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: The Salvation Army Received by: Stephen J. Nolan, Esquire
Petitioner's Attorney: Stephen J. Nolan, Esquire Chairman, Zoning Plans Advisory Committee

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

December 27, 1985

NOTICE OF HEARING

PETITION FOR SPECIAL HEARING
NE/S Monkton Rd., 2330' NW of the
c/l of Carroll Road - 10th Elec. Dist.
The Salvation Army - Petitioner
Case No. 86-286-SPH

TIME: 10:30 a.m.

DATE: Monday, January 27, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012800

DATE: 1/13/86 ACCOUNT: 86-286-SPH

AMOUNT: \$42.50

RECEIVED FROM:

FOR: Stephen J. Nolan, Esquire
0 86-286-SPH

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 3, 1986

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 86-286-SPH
The Salvation Army,
Petitioner

Dear Mr. Nolan:

I am in receipt of your letter dated April 1, 1986, with reference to the above.

Please notify Mr. Ron Baldwin, President of the Patchwork Homeowners Association, as to the proposed changes. If he, on behalf of the Association, does not object, no further hearing will be required; however, a revised site plan will need to be submitted. If he does, or if he believes a further hearing is necessary, then I will require one.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ/srl

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH F. RAY
9086 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-231
RUSSELL J. WHITE
HUSSELL STREET
TOWSON, MARYLAND 21204

April 1, 1986

HAND DELIVERY

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case No. 86-286-SPH
Petition for Special Hearing
NE/S of Monkton Road, 2,330' NW
of the centerline of Carroll Road
Petitioner: The Salvation Army
Hearing Date: January 27, 1986
Date of Order: February 10, 1986

Dear Commissioner Jablon:

On February 10, 1986, an Order was entered in the above-captioned case granting the requested transfer of density on property zoned R.C.2, subject to three enumerated restrictions. A copy of your Order is enclosed for your convenience. As noted in your February 10 Order, re-configured Tract A would consist of 76.2 acres and would have one density unit and Tract B, to the west of Tract A, would consist of 43 acres and also have one density unit.

The purpose of this letter is to apprise the Commissioner concerning a change in circumstances which will require our client, Richard A. Moore, to change the division line between Tract A and Tract B in a manner which will reduce the size of Tract A and increase the size of Tract B. Specifically, the owner of the Westfield horse farm has decided not to purchase adjoining Tract A which has necessitated that a downsized version of Tract A be placed on the market for sale.

Although the actual size of each Tract has not been finalized as yet due to the owner's desire to have some flexibility in attempting to resell Tract A, Tract A, by way of illustration only, may have approximately 10 acres in lieu of the original 76.2 acres and Tract B may have 109.2 acres rather than the originally proposed 43 acres. The net effect of this is that an increased amount of Tract B acreage will be protected within Mr. Moore's soil conservation program.

The Honorable Arnold Jablon
Re: Case No. 86-286-SPH
April 1, 1986
Page 2

As soon as the alteration of the division line of Tract A and B has been finalized, we will promptly supplement this letter with the necessary information. If the Commissioner would prefer that we proceed to file at this time a proposed Amended Order granting the Petitioner's right to alter the division line, I will be happy to immediately draft and submit the same for your consideration. On the other hand, if you feel that no amended order will be necessary given the fact that the proposed alteration does not disturb the spirit or intent of your February 10, 1986 Order, then we will request that this letter of information be made a part of the file in this matter.

We greatly appreciate your kind consideration of this request and we stand ready to submit whatever additional information or material you may desire.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

SJN:cmd

enc.

cc: Richard A. Moore
Raymond F. Ray
Newton A. Williams, Esquire

PATCHWORK HOMEOWNER'S ASSOCIATION

February 10, 1986

Honorable Arnold Jablon
Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing, January 27, 1986

Dear Commissioner Jablon:

During the above-referenced hearing, you requested that I send you a document stating that Patchwork Homeowner's Association has given me the authority to represent them in matters such as these.

Enclosed, please find a copy of the January 17, 1986 Patchwork Homeowner's Association annual meeting minutes. On page two of these minutes you will find that I was elected to serve as president and given the authority to represent the association.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin, President

PATCHWORK HOMEOWNERS ASSOCIATION

MINUTES OF MEETING JANUARY 14, 1986

RON BALDWIN CALLED THE MEETING TO ORDER. RON OPENED THE MEETING BY DISTRIBUTING COPIES OF THE AMENDED RESTRICTIONS AND A COPY OF THE AGREEMENT PERTAINING TO LOT 12.

BOBBY PROUT BRIEFED US ON THE PARTICULARS OF THE HOME HE WAS PLANNING TO BUILD ON LOT 12. HE STATED THAT THE HOUSE WOULD BE APPROXIMATELY 1900 - 2000 SQUARE FEET. HE SHOWED US PLANS AND EXPLAINED THAT DUE TO THE SETTING OF THE LOT, THE HOUSE WOULD BE "L" SHAPED. WITH A TWO CAR GARAGE FACING PATCHWORK CT. HE ALSO POINTED OUT THAT IT WOULD BE A FRAME HOUSE, WITH A STEEP PITCHED ROOF, AND WOULD HAVE A DECK ON THE BACK. EVERYONE WAS SATISFIED WITH THIS.

RON BALDWIN ADVISED THE STATUS OF THE WOODED LAND, FORMERLY OWNED BY THE SALVATION ARMY. RON ADVISED US THAT DICK MOORE HAD PURCHASED THE PROPERTY AND HAD SCHEDULED A ZONING HEARING FOR DEVELOPMENT. RON SHOWED US A PLAT THAT DEPICTED THE TENTATIVE PARCELS TO BE SOLD. THE LOTS WERE DIVIDED UP, IN A MANNER THAT HAD FOUR LOTS FRONTING MONKTON ROAD, AND TWO LOTS ADJACENT. THESE LOTS WERE ALL APPROXIMATELY 4.5 ACRES. THE BALANCE OF THE PROPERTY WAS DIVIDED INTO TWO LOTS. ONE OF WHICH WOULD BECOME A PART OF DICK MOORE'S FARM, THE OTHER IS PROPOSED TO BECOME PART OF THE BUCK'S FARM.

BILL FORNOFF REPORTED THE ASSOCIATION'S FINANCIAL STATUSAS FOLLOWS:

CHECKING ACCOUNT BALANCE	\$ 201.32
SAVINGS ACCOUNT BALANCE	754.06
CERTIFICATE OF DEPOSIT	733.71

TOTAL OF ACCOUNTS	\$ 733.71
DUES OUTSTANDING	\$ 100.00
ROAD FUND OUTSTANDING	420.00

TOTAL OUTSTANDING	\$ 520.00

IT WAS ALSO REPORTED THAT THE \$2000.00 THAT DICK MOORE COMMITTED FOR THE ROAD FUND WOULD NOT BE DUE TO BE PAID, UNTIL A BUILDING PERMIT HAD BEEN ATTAINED FOR A HOUSE ON LOT 12.

RON BALDWIN MOVED TO ELECT NEW OFFICERS. BRICE NOMINATED RON BALDWIN AND BILL FORNOFF CONTINUE AS PRESIDENT AND SECRETARY/TREASURER FOR ONE MORE YEAR.

RON WAS RELUCTANT, BUT WAS SWAYED WHEN BRICE MOVED TO INCLUDE A DINNER FOR TWO FOR THE PRESIDENT, ON THE ASSOCIATION. RON AGREED. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. BRICE ALSO MOVED TO HAVE RON BALDWIN REPRESENT THE ASSOCIATION IN WHATEVER DEALINGS OR PROCEEDINGS CONCERNING THE ASSOCIATION MAY OCCUR. THE MOTION WAS SECONDED AND THE VOTE WAS UNANIMOUS.

RON BALDWIN SUGGESTED MAINTAINING THE ASSOCIATION DUES AT \$ 20.00 PER YEAR, BUT FELT THAT WE SHOULD CONSIDER RAISING THE ROAD FUND, DUE TO THE DECLINING CONDITION OF THE ROAD. HE ALSO ADVISED THAT SOME ROAD REPAIRS MAY BE IN ORDER LATER THIS YEAR. BRICE DOWELL MOVED THAT THE ASSOCIATION DUES REMAIN AT \$20.00 AND THAT THE ROAD FUND BE INCREASED TO \$80.00 FOR 1986, AND INCREASE TO \$100.00 FOR 1987. THE MOTION WAS SECONDED, AND THE VOTE WAS UNANIMOUS. IT WAS ALSO SUGGESTED AND AGREED THAT \$400.00 BE MAINTAINED IN THE SAVINGS ACCOUNT AND THE BALANCE BE PUT INTO A CERTIFICATE OF DEPOSIT.

BILL FORNOFF MOVED TO ADJOURN THE MEETING. IT WAS SECONDED, AND ADJOURNED.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2311
RUSSELL J. WHITE
December 9, 1985

Mr. James E. Dyer
Zoning Supervisor
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Item No. 162
Petitioners: The Salvation Army and
Richard A. Moore
Northeast Side of Monoton Road
2,330 feet Northwest from the Centerline
of Carroll Road
Tenth Election District
REQUEST FOR HEARING

Dear Mr. Dyer:

As Counsel for the Petitioners, the Salvation Army, a Georgia Corporation, and Richard A. Moore, the Contract Purchaser, I am requesting that the Petition for Special Hearing in the above-entitled case be scheduled for a hearing at the earliest possible date. This Petition involves a request for the approval of the realignment of the four parcels which compose this 141.8 acre property and to approve the transfer of density units.

For your information, the Zoning Commissioner considered a similar realignment request in the Merryman case, Case No. 85-281-SPH, which request was granted by an amended Order dated June 26, 1985.

As filed on October 29, 1985, our Petition for Special Hearing involves similar issues and we sincerely believe that this matter is in a posture to proceed to hearing.

Therefore, I would greatly appreciate your assistance in scheduling this matter as early as your hearing docket will permit. Thank you for your assistance.

Very truly yours,

Stephen J. Nolan
Stephen J. Nolan

Mr. James E. Dyer
Zoning Supervisor
Re: Item No. 162
December 9, 1985
Page 2

cc: Mr. Cone Raphael
E. F. Raphael & Associates

Mr. Richard A. Moore

Mr. Bramwell H. Tillsley,
Vice President
The Salvation Army
2643 Maryland Avenue
Baltimore, Maryland 21218

Patchwork Homeowner
Association

May 5, 1986

The Honorable Arnold Jablon
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Case Number 86-286-SPH Zoning Hearing
Date of Order: FEBRUARY 19, 1986
SALVATION ARMY

Dear Commissioner Jablon:

I have reviewed your order on the above-referenced case, particularly the restrictions on Tract A and Tract B.

During our telephone conversation last week, you confirmed that a change in the boundary line between Tracts A and B, which would result in Tract A consisting of 10 acres and Tract B consisting of 109 acres, would not affect the enforcement of the restrictions placed on the tracts in your order.

Therefore, on behalf of the members of the homeowners association, I find no reason to object to the proposed change and no reason for another hearing on this matter.

Sincerely yours,

Ronald L. Baldwin
Ronald L. Baldwin
President

cc: Stephen J. Nolan, Esquire

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: January 17, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-286-SPH

The subject will be reviewed by the CRC on January 30, 1986. If it is permitted to arrange the lots as proposed on these parcels of land, it would permit the retention of more acres in farm land than would be possible otherwise. If this proposal is approved, it is requested that the petitioner be required to develop and obtain approval of a soil conservation plan for the two farm tracts.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEC:JCH:sam

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 31, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 162 - Case No. 86-286-SPH
Petitioner - The Salvation Army
Special Hearing Petition

Dear Mr. Nolan:

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Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

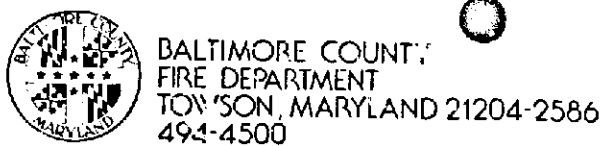
TO: Nicholas Commodari, Zoning Department Date: November 21, 1985

FROM: Charles R. Burnham, Chief, Building Plans Review C.R.B.

SUBJECT: Zoning Advisory Committee Meeting
Meeting Scheduled 11/12/85

Item #160	See Comments
Item #161	See Comments
Item #162	No Comment
Item #163	No Comment
Item #164	See Comments
Item #165	See Comments
Item #166	See Comments
Item #167	See Comments
Item #108 (Revised)	See Comments

CED/vw



PAUL H. REINCKE
CHIEF

November 21, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Salvation Army

Location: NE/S Monkton Road, 2330' NW of Carroll Road

Item No.: 162 Zoning Agenda: Meeting of November 12, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property:

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

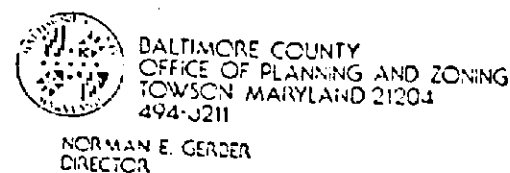
EXCEEDS the maximum allowed by the Fire Department.

- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Roads shall be in accordance with Baltimore County Standard Design Manual.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 13, 1986

Re: Zoning Advisory Meeting of November 12, 1985
Item # 162
Property Owner: THE SALVATION ARMY
Location: NE/S OF MONKTON ROAD, 2330'
NW OF CARROLL ROAD

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

cc: James Howell

Eunene A. Sober
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 12, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 160, 162, 163, 165, and 167.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

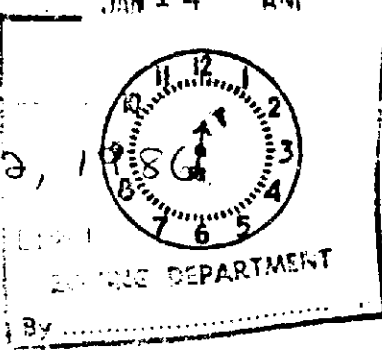
MSF/bld

1/27
86-286 SPH

86-1445
C-12

1/14/86
To
Phida M. Riden
2306 Monkton Road
Monkton, Maryland 21111

86-286-SPH
SALVATION ARMY
JAN 14 AM



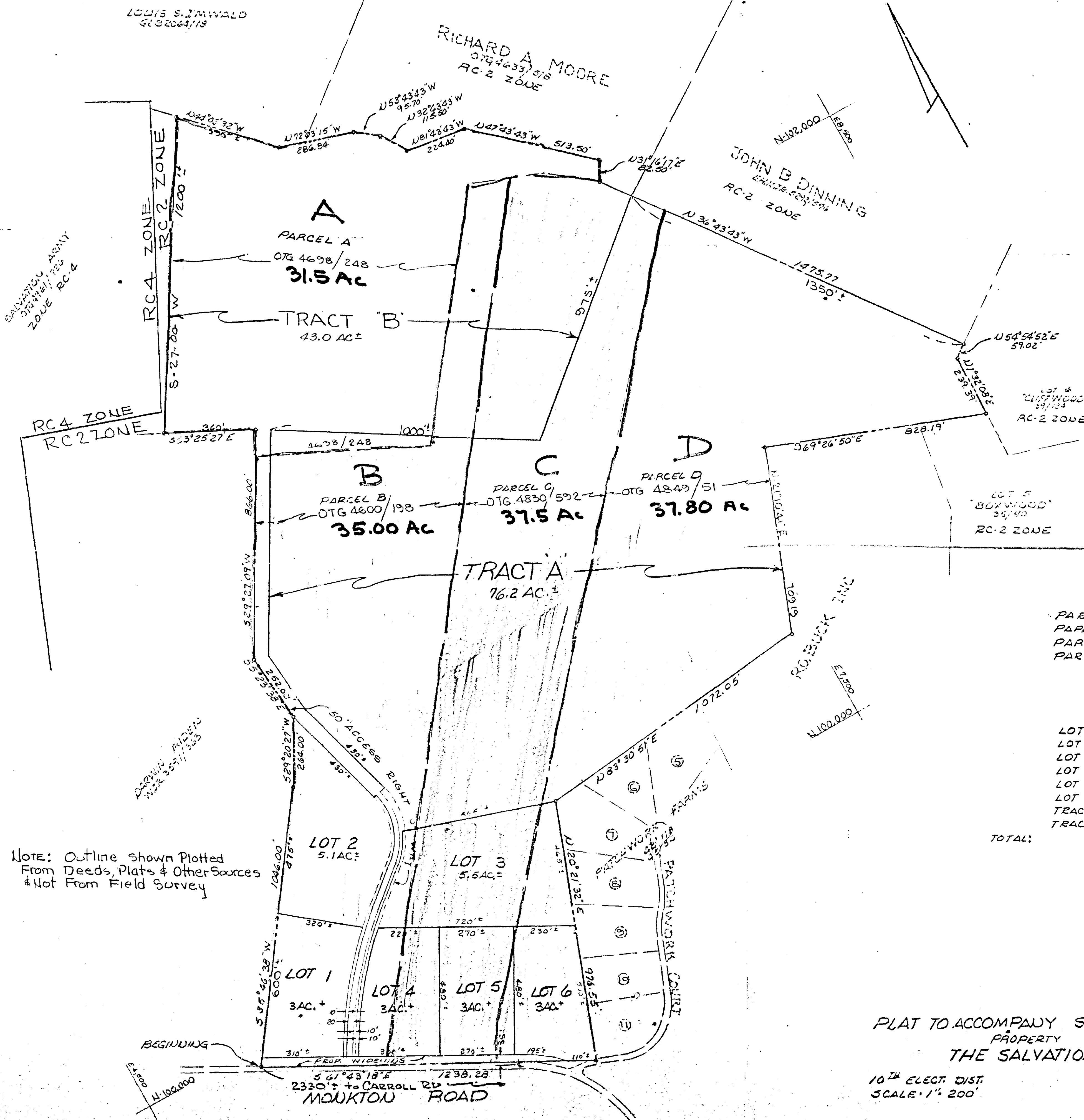
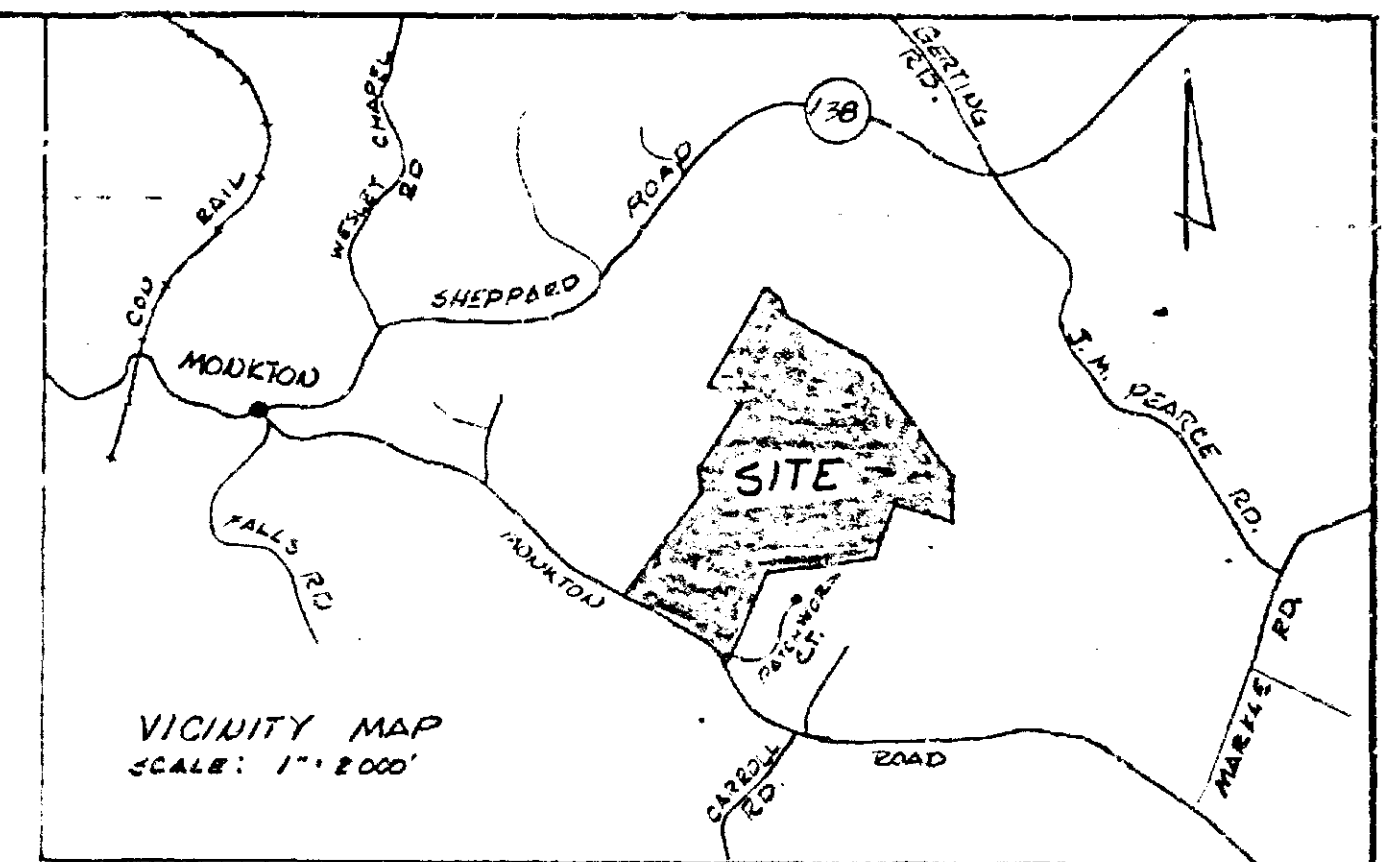
Zoning Board
Room 106
111 W. Chesapeake Ave
Towson 21204, Md.
Gentlemen:

Jan. 27 1986 you are conducting a hearing regarding change from Agriculture residential property adjoining mine on Monkton Road, Monkton, Md.

I will be out of town and unable to attend the hearing but I want to take this means of registering my objection to this change.

We bought our property more than twenty five years ago and have seen development all around our farm. There is precious little farm land left and it would be a shame to further develop in our area.

Very truly yours
Phida M. Riden
(Darwin's Choice Farm)



NOTE: Outline shown Plotted
From Deeds, Plats & Other Sources
& Not From Field Survey

DENSITY CALCULATIONS RC-2 ZONE EXISTING

TITLE DEED	ACRES	LOTS PERMITTED
PARCEL A OTG 4698/248	31.50±	2 LOTS
PARCEL B OTG 4600/198	35.00±	2 LOTS
PARCEL C OTG 4830/592	37.50±	2 LOTS
PARCEL D OTG 4849/51	37.80±	2 LOTS
TOTAL ACRES = 141.80±		TOTAL LOTS = 8 LOTS
		DENSITY 8/141.80 AC. = 0.056 UNITS/AC.

PROPOSED

LOT	ACRES±	PART OF PARCELS
LOT 1	3.0 ACRES±	PART OF PARCEL B
LOT 2	5.1 ACRES±	PART OF PARCEL B
LOT 3	5.5 ACRES±	PART OF PARCELS B, C, & D
LOT 4	3.0 ACRES±	PART OF PARCELS B & C
LOT 5	3.0 ACRES±	PART OF PARCELS C & D
LOT 6	3.0 ACRES±	PART OF PARCELS C & D
TRACT A	76.2 ACRES±	PART OF PARCELS A, B, C, & D
TRACT B	43.0 ACRES±	PART OF PARCELS A, B, & C
TOTAL:	8 LOTS 141.8 ACRES±	DENSITY: 8/141.80 AC. = 0.056 UNITS/AC.

PETITIONER'S
EXHIBIT 2



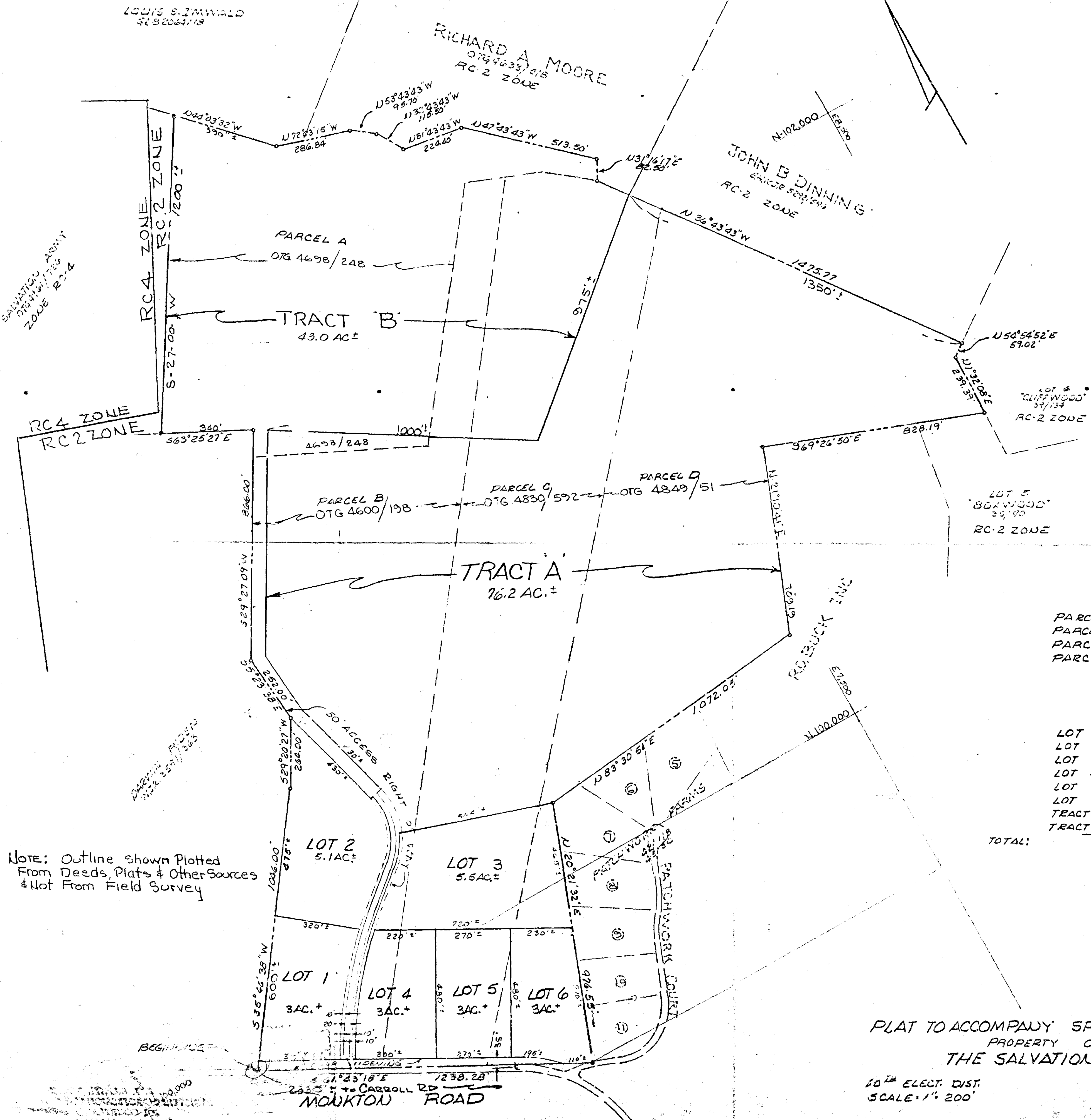
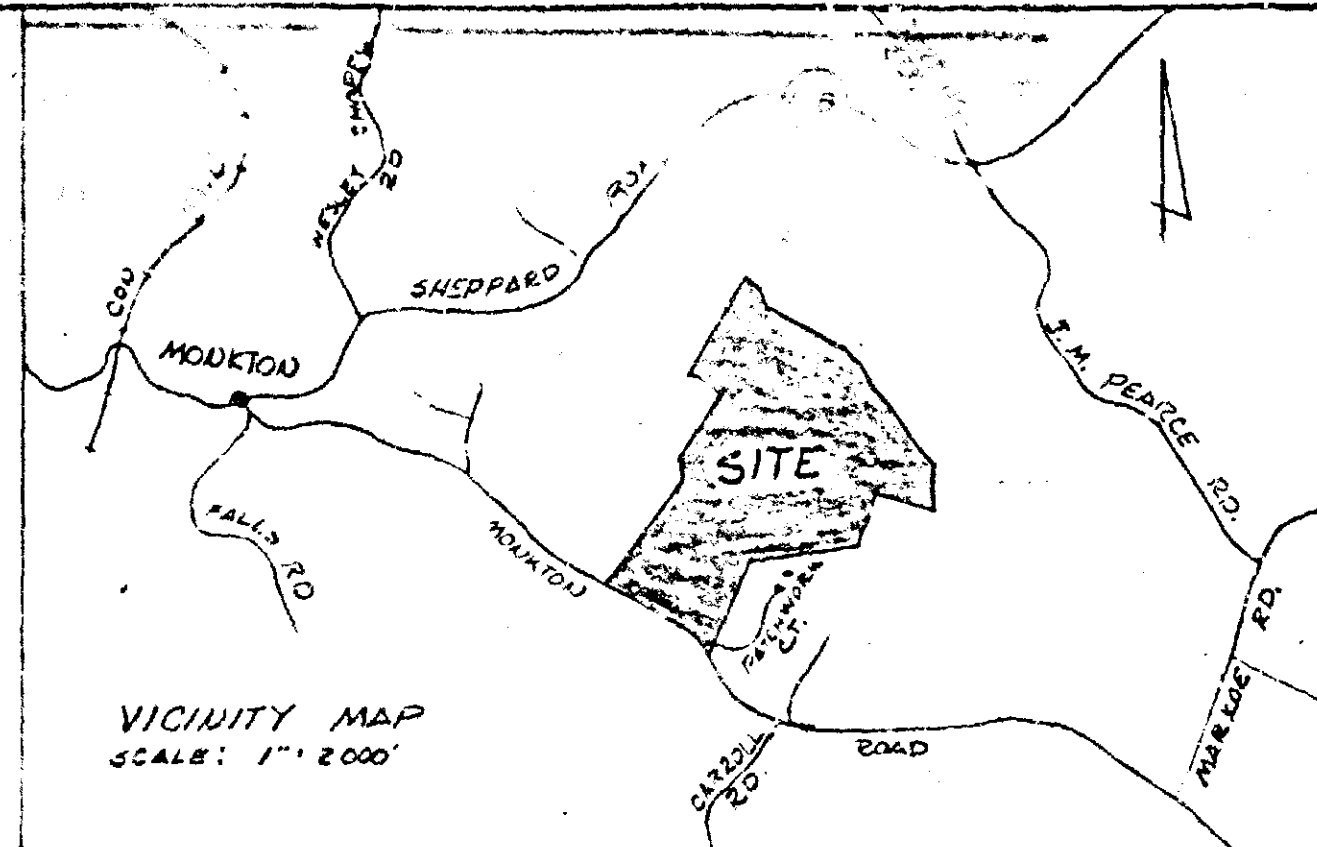
PLAT TO ACCOMPANY SPECIAL HEARING
PROPERTY OF
THE SALVATION ARMY

10TH ELECT. DIST.
SCALE: 1" = 200'

31.10. CO. MO.
OCT. 25, 1983

E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

REVISED: JAN. 2, 1986 - LOT LINES



NOTE: Outline shown Plotted From Deeds, Plats & Other Sources & Not From Field Survey

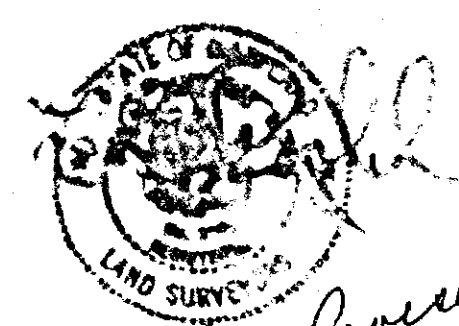
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PROPOSED

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TOTAL:	8 LOTS 141.8 ACRES [±]	DENSITY: 8/141.80 AC = 0.056 UNITS/AC.

PETITIONER'S
EXHIBIT 1



PLAT TO ACCOMPANY SPECIAL HEARING
PROPERTY OF
THE SALVATION ARMY

10TH ELECT. DIST.
SCALE: 1" = 200'

DATE: JAN. 25, 1983

E. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
301 COURTLAND AVENUE
TOWSON, MARYLAND 21204

REVISED: JAN. 2, 1986 - LOT LINES

Revised plan
item 162
1-10-86

